

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:	)	
	)	
Robert H. Seabrook Jr. and	)	<b>CASE NO.: 13-14004-mkn</b>
Sondra G. Seabrook	)	<b>CHAPTER: 7</b>
	)	
	)	<b>ADVERSARY CASE NO.: 13-01122-mkn</b>
	)	
GILMORE CONSTRUCTION, LLC.	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	

**REPLY TO OPPOSITION TO MOTION FOR SANCTIONS FOR FAILURE TO**  
**ATTEND DEPOSITIONS**

**AND**

**OPPOSITION TO MOTION TO STAY ACTION PENDING RESOLUTION OF**  
**CRIMINAL PROCEEDINGS**

1 Plaintiff, GILMORE CONSTRUCTION, LLC by and through its attorneys, the law firm  
2 of McCULLOUGH, PEREZ & ASSOCIATES, LTD., herewith replies to Defendants'  
3 Opposition to Motion for Sanctions for Failure to Attend Depositions and Opposition to Motion  
4 to Stay Action Pending Resolution of Criminal Proceedings.

5 **I THE SEABROOKS FAIL TO RESPOND TO THE SANCTION MOTION**

6 The Seabrooks' opposition consists of one page of facts. The pleading incorrectly states  
7 the Seabrooks filed a Chapter 11 petition on July 16, 2013. They filed a Chapter 7 petition on  
8 May 7, 2013. Next there are approximately two pages of Statement of Law regarding the  
9 countermotion seeking a stay of the proceedings. They offer no argument against the issuance of  
10 sanctions.  
11

12 The only time they seek relief in regards to the motion for sanction is in their conclusion.  
13 The Seabrooks state the motion should be denied "for Defendant's failure to attend depositions  
14 without counsel." The Seabrooks were represented by counsel when they chose not to appear at  
15 properly noticed depositions.  
16

17 Mrs. Seabrook's deposition was noticed for June 12, 2014 at 10:00 a.m. Mr. Seabrooks  
18 was scheduled for June 13, 2014 at 10:00 a.m. The Seabrooks were represented by counsel at  
19 the time. A copy of the Notice of Deposition is attached as Exhibit "1".<sup>1</sup>  
20

21 Exhibit "2" is "The Certificate of Nonappearance of Sondra Seabrook". Exhibit "3" is  
22 "The Certificate of Nonappearance of Robert Seabrook". The transcripts detail that the  
23 Seabrooks' prior counsel advised that it was believed that the Seabrooks would not appear.

24 Their prior attorney appeared before this court and advised she would be filing a motion  
25 to withdraw. The order granting the motion was entered on July 18, 2014. A full month after the  
26

---

27 <sup>1</sup> This was the eight amended notice. The depositions were scheduled for May 29<sup>th</sup> and 30<sup>th</sup> 2014,  
28 The depositions were continued at the request of the Seabrooks.

1 Seabrooks refused to appear at their depositions. Contrary to the Seabrooks current pleading,  
2 they were represented by counsel when they refused to appear.

3 More importantly, the Seabrooks do not provide any argument that excused their need to  
4 appear. They did not seek a protective order prior to the scheduled deposition (depositions that  
5 were rescheduled at the Seabrooks' request on multiple occasions). Instead they simply chose not  
6 to appear at all. Gilmore Construction incurred attorney fees and costs in preparing for the  
7 depositions.  
8

9 The court should construe the complete lack of addressing the motion, and consent that  
10 the motion for sanctions is meritorious. Appropriate sanctions should issue. The Seabrooks  
11 should not be rewarded for playing games; asking for depositions to be continued, then refusing  
12 to appear, then coming to the court and asking for a stay; while failing to provide any explanation  
13 for their failure to appear in the first instance.  
14

## 15 **II NO STAY OF PROCEEDINGS SHOULD BE GRANTED**

### 16 **a. TIME LINE OF RELEVANT EVENTS**

- 17 1. Gilmore files its complaint in State Court against the Seabrooks on December 3, 2012.
- 18 2. Seabrooks file their answer on January 16, 2013
- 19 3. Gilmore files a motion for partial summary judgment. The motion seeks a judgment  
20 related to a portion of the embezzled funds. The motion is filed on March 22, 2013. The  
21 hearing is set for May 9, 2013.
- 22 4. The Seabrooks do not file an opposition to the motion for partial summary judgment.
- 23 5. Gilmore files a Notice of Failure to Oppose on May 1, 2013
- 24 6. On May 8, 2013 Seabrooks serve a notice of Bankruptcy upon Gilmore; one day before  
25 the unopposed summary judgment motion is to be heard.
- 26 7. The first creditors meeting takes place on June 14, 2013. During that meeting the  
27  
28

1 Seabrooks' were represented by Carrie Hurtick and Brent Percivel. During the meeting  
2 on certain questions the Seabrooks invoked their Fifth Amendment Right against self  
3 incrimination. Their counsel stated; OBJECTION I have to direct you not to answer that  
4 question.

5 I'm told that there is a criminal investigation out there. She's got to take the 5<sup>th</sup> on those.  
6 As far back as June of 2013, the Seabrooks knew they were the subject of an  
7 investigation, but made no prior efforts to seek a stay. See Exhibit 4" portion of transcript  
8 of creditor's meeting.  
9

- 10 8. A second creditors meeting was held on June 28, 2013. During this meeting the  
11 Seabrooks invoked their Fifth Amendment Privilege on some questions, but not all. By  
12 way of example, Ms. Seabrook answered questions about how the Seabrook's paid their  
13 bills. Mr. Seabrook answered questions about charges on their credit card bills (bills paid  
14 off with embezzled funds). They answered questions which are directly related to the  
15 claims against them; without invoking their Fifth Amendment Privilege.  
16
- 17 9. Depositions of Seabrooks Scheduled. Continued at request by Seabrooks, due to efforts at  
18 settlement negotiations or schedule issues. See Exhibit "5" see collectively the notices of  
19 deposition. Ms. Seabrooks claimed the February Depositions needed to be continued, due  
20 to stress of pending deposition. See Exhibit "6", Letter from counsel.

- 21 a. October 22 and 23, 2013.  
22 b. November 6 and 8, 2013  
23 c. November 20 and 22, 2013  
24 d. December 11 and 13, 2013  
25 e. January 23 and 24, 2014  
26 f. February 6 and 7, 2014  
27  
28

1 g. February 27 and 28, 2014

2 h. May 29 and 30, 2014

3 i. June 12 and 13, 2014

4 10. Plaintiff files motion for sanctions on July 25, 2014. Seabrooks do not file an  
5 opposition, but appear at the hearing set for the motion. A status check was continued and  
6 heard the same day. The court gives the Seabrooks time to obtain counsel.  
7

8 11. A motion to stay proceedings is filed by the Seabrooks on September 24, 2014.

9 **b. Additional Factual Background**

10 As part of Gilmore's case against the Seabrooks, is a large volume of documents.  
11 Numerous Gilmore Company checks, containing the sole signature of Sondra Seabrook are part  
12 of the body of evidence. These checks were listed on company books as paying workman's  
13 compensation premiums. In actuality the checks were made payable to credit cards in the name  
14 of Sondra Seabrook and Robert Seabrook. The credit card statements, confirming the ownership  
15 of the accounts are also part of the documentary evidence.  
16

17 The Seabrooks, in their bankruptcy petition have confirmed the credit card accounts are  
18 theirs. The stolen funds from Gilmore were used to pay for the credit card bills. Sondra's  
19 signature and payment of the credit card debts can be established without the testimony of the  
20 Seabrooks.  
21

22 The Seabrooks systematically, over a period of not less than six years stole over  
23 \$600,000.00. On a monthly basis they used Gilmore's money to pay their credit card bills. Each  
24 month money was stolen to pay five credit cards held in the Seabrooks' name. Despite having a  
25 two signature requirement, Mrs. Seabrook would only include her signature on the check. By  
26 doing so, she prevented another employee of the Company from discovering the checks were  
27 being issued. Given that Gilmore Construction did not have a credit card issued by either Chase  
28

1 or Washington Mutual; red flags would have gone up.

2 Robert Seabrook was a CPA working at Houldsworth and Company. Houldsworth was  
3 the CPA firm hired to perform accounting work for Gilmore. Unknown to Gilmore,  
4 Houldsworth's owner, Alan Houldsworth, put Robert Seabrook in charge of the Gilmore file.  
5 Robert was in a position to and did cover up the embezzlement. He and his wife then benefited  
6 from stealing from Gilmore each and every month. A separate lawsuit has been filed in State  
7 Court directly against Houldsworth and Company. The Seabrooks have been named as witnesses  
8 in that case, and can be compelled to testify in the State Court proceeding.  
9

#### 10 **B. Factors Weight Against Issuing a Stay of the Entire Proceedings**

11 Merely because the Seabrooks are facing criminal prosecution, does not entitle them to  
12 the stay they seek.

13 *The Constitution does not ordinarily require a stay of civil proceedings pending*  
14 *the outcome of criminal proceedings.*

15 *"In the absence of substantial prejudice to the rights of the parties involved,*  
16 *[simultaneous] parallel [civil and criminal] proceedings are unobjectionable*  
17 *under our jurisprudence."*

18 *"Nevertheless, a court may decide in its discretion to stay civil proceedings .*  
19 *'when the interests of justice seem [ ] to require such action.' "*

20 *Keating v. Office of Thrift Supervision, 45 F.3d 322, 324 (9<sup>th</sup> Cir. 1995) internal*  
21 *citations omitted.*

22 Furthermore, an indictment does not automatically weight in favor of a stay.

23 *The possibility that criminal indictments would be brought against Molinaro may*  
24 *have made responding to civil charges more difficult for him, but the court did not*  
25 *abuse its discretion by deciding that this difficulty did not outweigh the other*  
26 *interests involved. Federal Sav. and Loan Ins. Corp. v. Molinaro, 889 F. 2d 899 –*  
27 *(9th Cir. 1989)*

28 Gilmore will now address the Keating factors:

**(1) The interest of the plaintiffs in proceeding expeditiously with this litigation or**



1 **any particular aspect of it, and the potential prejudice to plaintiffs of a delay;**

2 The Seabrooks did not address the first prong in their motion. Gilmore Construction  
3 sought partial summary judgment in the state court proceedings, but that was stayed once the  
4 Seabrooks filed bankruptcy. Gilmore was willing to have settlement discussions and continued  
5 properly noticed deposition to allow those discussions to take place. When it became apparent  
6 resolution would not take place, the depositions were only continued due to the health of Mrs.  
7 Seabrook. Otherwise, Gilmore has been proceeding against the Seabrooks. While a brief  
8 extension of discovery is likely necessary, due to the pending motions; Gilmore has engaged the  
9 services of an expert witness, and can establish liability against the Seabrooks with or without  
10 their invocation of the Fifth Amendment Privilege.  
11

12 The Seabrooks claim Gilmore will not be prejudiced because the accounts are currently  
13 frozen. However, those funds are invested in various securities. The market fluctuations do not  
14 provide adequate security. When the market crashed the Dow Jones went from a high of \$14,000  
15 to a low of 6,600. It is not as if the funds are cash deposits; they can fluctuate with the market  
16 subject to world events.  
17

18 **(2) The burden which any particular aspect of the proceedings may impose on**  
19 **defendants;**

20 While the Seabrooks will invoke their fifth amendment privilege during a deposition, the  
21 burden of proceeding forward with the civil litigation is not so great. The assertion of the  
22 privilege in a civil case cannot be used in a criminal proceeding. The Seabrooks can still put  
23 forth a defense in the civil proceedings. They can hire expert witnesses to review Ms. Seabrook's  
24 signature of the checks used to embezzle funds. Perhaps such an expert will opine the signatures  
25 do not belong to Sondra Seabrook. Equally so Mr. Seabrook can enlist the testimony of his  
26 former employer Alan Houldsworth to defend against the allegations against Mr. Seabrooks.  
27 While assertion of the fifth amendment in a civil lawsuit result in an adverse inference, the  
28

Defendants can still overcome the inference through other evidence.

**(3) The convenience of the court in the management of its cases, and the efficient use of judicial resources;**

The matter has been pending for some time now, a court's interest in clearing its docket ways against issuance of a stay. See Molinaro.<sup>2</sup>

**(4) The interests of persons not parties to the civil litigation;**

As noted above, there is a pending case against Mr. Seabrook's former employer. This entity has an interest in the pending adversary proceeding.

**(5) The interest of the public in the pending civil and criminal litigation**

Closely aligned to the fourth prong in the public's interest in the pending civil and criminal matter. The Seabrook's arrest and later incitement has been covered by the local media.

Furthermore, the case involves a former CPA, Mr. Seabrook. He voluntarily surrendered his license, when the accountancy board began investigating Mr. Seabrook. The public has a interest in seeing that victims of embezzlement and cover-up by CPA's is resolved through pending civil and criminal litigation.

The Seabrooks did not move promptly to seek a stay. Instead they waited almost two years to seek a stay, and then only after failing to appear at their deposition (a deposition noticed before their arrest/indictment). They may have waived their fifth amendment privilege by answering questions in the creditor's meeting. They can be forced to testify in the Houldsworth state court proceedings, as witnesses in that case. Gilmore can establish its case even without the adverse inference arising from the assertion of the privilege in a civil lawsuit. Staying to

---

<sup>2</sup> The court determined that FSLIC would be prejudiced by delay since Molinaro continued to attempt to dispose of his assets; the action had been pending for a year, and the court had an interest in clearing its docket; and the interests of nonparties, i.e., Ramona's depositors, and the public would be frustrated by further delay. The court concluded that all factors weighed in favor of denying Molinaro's motion for a stay.



proceedings serves only to further delay recovery for the victim.

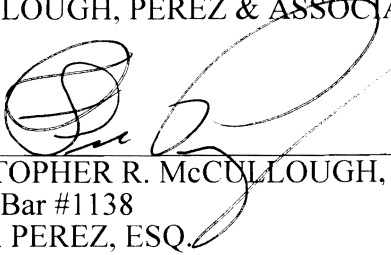
**III CONCLUSION**

The victim of the over \$600,000 in embezzlement should not be required to wait any longer. The court exercising its discretion should deny the Seabrooks' motion in its entirety. Appropriate sanctions should issue for the willful failure to appear at their deposition.

DATED this 30 day of September, 2014.

RESPECTFULLY SUBMITTED

McCULLOUGH, PEREZ & ASSOCIATES, LTD.

By   
CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar #1138  
FRANK PEREZ, ESQ.  
Nevada Bar #5738  
601 S. Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
Attorney for Plaintiff  
*Gilmore Construction, LLC*

**CERTIFICATE OF MAILING**

STATE OF NEVADA            )  
  ) ss:  
COUNTY OF CLARK         )

I ANGIE GARDNER, declare:

Pursuant to FRCP 5(b) I hereby certify that I am a resident of Clark County, Nevada. I am over the age of eighteen years and not a party to the within action. That I employed by the law firm of McCULLOUGH, PEREZ & ASSOCIATES, LTD., 601 South Rancho Drive, #A-10, Las Vegas, NV 89106.


On October 1, 2014, I served the document described as **REPLY TO OPPOSITION TO MOTION FOR SANCTIONS FOR FAILURE TO ATTEND DEPOSITIONS AND OPPOSITION TO STAY ACTION PENDING RESOLUTION OF CRIMINAL PROCEEDINGS** on the parties listed below:

Timothy P. Thomas, Esq.  
Law Office of Timothy P. Thomas, LLC  
8670 W. Cheyenne Ave., Suite 120  
Las Vegas, NV 89129  
[tthomas@tthomaslaw.com](mailto:tthomas@tthomaslaw.com)  
Attorney for Debtors/Defendants

JOSEPH B. ATKINS  
3815 South Jones Blvd., #5  
Las Vegas, NV 89103  
[jbatkins@7trustee.net](mailto:jbatkins@7trustee.net)

■ **VIA U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with first class postage thereon fully prepaid in the U.S. mail at Las Vegas, Nevada. I am “readily familiar” with the firm’s practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. postal service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing affidavit.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed at Las Vegas, Nevada, on October 1, 2014.

  
\_\_\_\_\_  
Angie Gardner, employee of McCULLOUGH, PEREZ &  
ASSOCIATES, LTD.

# EXHIBIT 1

# EXHIBIT 1

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:	)	Case No: 13-14004-mkn
	)	Chapter: 7
Robert H. Seabrook Jr. and	)	
Sondra G. Seabrook	)	

GILMORE CONSTRUCTION, LLC.	)	<b>Adversary Case No: 13-01122-mkn</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	

**EIGHTH AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Thursday, June 12, 2014**

4 10:00 a.m.

SONDRA G. SEABROOK

5 **Friday, June 13, 2014**

6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 27 day of May, 2014.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By 

14 CHRISTOPHER R. McCULLOUGH, ESQ.

15 Nevada Bar # 1138

FRANK PEREZ, ESQ.

16 Nevada Bar # 5738

601 South Rancho Drive, Suite A-10

17 Las Vegas, Nevada 89106

Attorneys for Plaintiff  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 27th day of May, 2014, a true and correct copy of the above and foregoing EIGHTH AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following via facsimile transmission and by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Fax No: (702) 966-5206  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.



# EXHIBIT 2

# EXHIBIT 2

## U.S. BANKRUPTCY COURT

## DISTRICT OF NEVADA

\* \* \* \* \*

In re: )  
 )  
 Robert H. Seabrook Jr. and ) Case No.: 13-14004-mkn  
 Sondra G. Seabrook ) Chapter 7  
 )  
 ----- )  
 GILMORE CONSTRUCTION, LLC, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Adversary Case No.:  
 ) 13-01122-mkn  
 ROBERT H. SEABROOK, JR., AND )  
 SONDR A G. SEABROOK, )  
 )  
 Defendants. )  
 ----- )

CERTIFICATE OF NONAPPEARANCESCHEDULED DEPOSITION OF SONDR A G. SEABROOK

Date: Thursday, June 12, 2014  
 Scheduled Time: 10:00 a.m.  
 Place: 601 South Rancho Drive, Suite A-10  
 Las Vegas, Nevada 89106

REPORTER'S CERTIFICATE

STATE OF NEVADA )  
 ) ss:  
 COUNTY OF CLARK )

I, Lori M. Unruh, R.D.R., C.C.R. #389, a  
 Certified Court Reporter licensed by the State of Nevada,  
 do hereby certify:

That on Thursday, June 12, 2014, at the hour of  
 10:00 a.m., I appeared at McCULLOUGH, PEREZ & ASSOCIATES,  
 LTD., 601 South Rancho Drive, Suite A-10, Las Vegas,

1 Nevada, for the purpose of reporting the deposition of  
2 SONDRA G. SEABROOK;

3 That present was FRANK PEREZ, Attorney at Law,  
4 counsel for Plaintiff;

5 That I remained in attendance until 10:15 a.m.,  
6 at which time the deponent had not appeared;

7 That the following is a true, complete and  
8 accurate transcription of the proceedings held at that  
9 time:

10 MR. PEREZ: This is June 12th, 2014. The time is  
11 10:15. This is the correct date and time set for the  
12 deposition of Sondra Seabrook.

13 It was set to begin at 10:00 a.m. She has failed  
14 to appear in this matter. I previously had a conversation  
15 with her counsel, Carrie Hurtik, who advised she did not  
16 believe her client, Sondra Seabrook, would be appearing at  
17 the deposition.

18 That's it.

19 (The proceedings concluded at 10:16 a.m.)

20 IN WITNESS WHEREOF, I have hereunto set my hand  
21 in my office in the County of Clark, State of Nevada, this

22 12th day of June, 2014.

23  
24 Lori M. Unruh  
25 Lori M. Unruh, R.D.R., C.C.R. #389

# EXHIBIT 3

# EXHIBIT 3

U.S. BANKRUPTCY COURT

DISTRICT OF NEVADA

\* \* \* \* \*

In re:	)	
	)	Case No: 13-14004-mkn
Robert H. Seabrook Jr. and	)	Chapter: 7
Sondra G. Seabrook	)	
	)	
	)	
	)	
GILMORE CONSTRUCTION, LLC.	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Adversary Case No:
	)	13-01122-mkn
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	

**CERTIFICATE OF NONAPPEARANCE**  
**SCHEDULED DEPOSITION OF ROBERT H. SEABROOK**

Date: Friday, June 13, 2014

Time: 10:00 a.m.

Place: 601 South Rancho Drive  
Suite A-10  
Las Vegas, Nevada 89106

CERTIFICATE OF REPORTER

STATE OF NEVADA )  
) ss.  
COUNTY OF CLARK )

I, Janice David, CCR No. 405, a duly certified

1 court reporter licensed in and for the State of  
2 Nevada, do hereby certify:

3 That on Friday, June 13, 2014, I appeared at  
4 the law offices of McCULLOUGH, PEREZ & ASSOCIATES,  
5 LTD, 601 South Rancho Drive, Suite A-10, Las Vegas,  
6 Nevada, for the purpose of reporting the deposition of  
7 ROBERT H. SEABROOK;

8 That present was Frank Perez, counsel for  
9 Gilmore Construction, LLC;

10 That I remained in attendance until  
11 10:11 a.m., at which time the deponent had not  
12 appeared;

13 That the following is a true, complete, and  
14 accurate transcription of the proceedings held at that  
15 time.

16 \*\*\*\*\*  
17  
18  
19  
20  
21  
22  
23  
24  
25



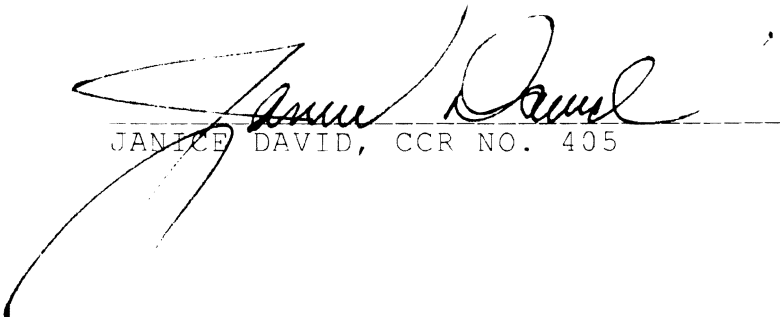
1 MR. PEREZ: It's June 13th, 2014,  
2 approximately 10 after 10:00 o'clock in the morning.  
3 This was the time properly set and noticed for the  
4 deposition of Robert Seabrook. The deponent has  
5 failed to appear. I did speak with his counsel,  
6 Carrie Hurtik, a few days ago, and she indicated she  
7 believed they would not appear.

8 At the deposition yesterday Mrs. Seabrook did  
9 not appear at hers.

10 \*\*\*\*\*

11 (Proceedings concluded at 10:12 a.m.)  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 IN WITNESS WHEREOF, I have hereunto set my  
2 hand in my office in the County of Clark, State of  
3 Nevada, this 13th day of June, 2014.

4  
5   
6 JANICE DAVID, CCR NO. 405  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

# EXHIBIT 4

# EXHIBIT 4

**Portion of Creditor's Meeting Transcript**

**June 14, 2013**

TRUSTEE: And what is the Gilmore Construction v. Robert and S. SEABROOK lawsuit?

B. PERCIVAL: It was a civil action that was filed in The District Court Clark County, Nevada

TRUSTEE: Ok, and what is the issue?

B. PERCIVAL: uhh it's alleging Fraud

TRUSTEE: I would like your clients to answer. What is the issue?

S. SEABROOK: Alleged Fraud

TRUSTEE: On who's part?

S. SEABROOK: Mine

TRUSTEE: Ok

TRUSTEE: Now their evidence

R. SEABROOK: I thought it was alleging embezzlement or something

TRUSTEE: And uh how much is the lawsuit for? Do you, are you aware?

R. SEABROOK: We don't really know

TRUSTEE: Ok, some large numbers have been thrown in my direction Just be aware.

R. SEABROOK: The figures that we were sent when you add up the amounts they come to like 380 or something.

TRUSTEE: Ok, and uh did you in fact commit those acts?

S. SEABROOK: Ah

B. PERCIVAL; OBJECTION I have to direct you not to answer that question.

I'm told that there is a criminal investigation out there. She's got to take the 5<sup>th</sup> on those

TRUSTEE: Um I would she has to take the 5<sup>th</sup> herself.

C. HURTIK: So you have to say I took the 5<sup>th</sup>.

TRUSTEE: You were never employed by Gilmore Construction were you?

R. SEABROOK: I was not employed by Gilmore, no.

TRUSTEE: Did you ever oversee the accounts of Gilmore Construction while you were at the cpa firm?

R. SEABROOK: uhhh Basically, what we do for Gilmore was we did a tax return and we did a financial statement. But I was... you know I worked for the cpa firm.

TRUSTEE: Alright

TRUSTEE: So the Bank of Las Vegas Payments into your Bank of Las Vegas Sealy Lake Consulting account came from the CPA firm, is that correct?

R. SEABROOK: Correct

### **Portion of Creditor's Meeting Transcript**

**June 28, 2013**

PEREZ: Okay, so other than groceries you can't recall what else you did with the cash you took back from the checks.

S. SEABROOK: I traveled to dog shows.

PEREZ: So you paid cash when you traveled for instance to dog shows?

S. SEABROOK: Most of it.

PEREZ: Gas, lodging what was the traveling expenses?

S. SEABROOK: Gas, eats, parking.

PEREZ: How about lodging?

S. SEABROOK: Lodging was usually either a debt or credit card.

# **EXHIBIT 5**

# **EXHIBIT 5**



CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

Robert H. Seabrook Jr. and  
Sondra G. Seabrook

Case No: 13-14004-mkn  
Chapter: 7

GILMORE CONSTRUCTION, LLC.

Plaintiff,

v.

ROBERT H. SEABROOK, JR., AND  
SONDRA G. SEABROOK

Defendants.

**Adversary Case No: 13-01122-mkn**

**NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Tuesday, October 22, 2013**

4 **10:00 a.m.**

**SONDRA G. SEABROOK**

5 **Wednesday, October 23, 2013**

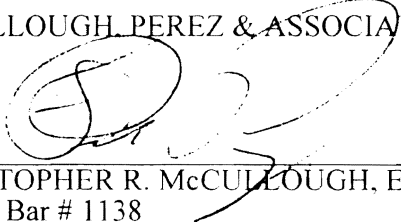
6 **10:00 a.m.**

**ROBERT H. SEABROOK, JR.**

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 20 day of September, 2013.

11 McCULLOUGH PEREZ & ASSOCIATES, LTD.

12  
13 By   
14 CHRISTOPHER R. McCULLOUGH, ESQ.  
15 Nevada Bar # 1138  
16 FRANK PEREZ, ESQ.  
17 Nevada Bar # 5738  
18 601 South Rancho Drive, Suite A-10  
19 Las Vegas, Nevada 89106  
20 Attorneys for Plaintiff  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 20th day of September, 2013, a true and correct copy of the above and foregoing NOTICE OF TAKING DEPOSITIONS, was served upon the following, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

Robert H. Seabrook Jr. and  
Sondra G. Seabrook

Case No: 13-14004-mkn  
Chapter: 7

GILMORE CONSTRUCTION, LLC.

Plaintiff.

v.

ROBERT H. SEABROOK, JR., AND  
SONDRA G. SEABROOK

Defendants.

**Adversary Case No: 13-01122-mkn**

**AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Wednesday, November 6, 2013**

4 **10:00 a.m.**

**SONDRA G. SEABROOK**

5 **Friday, November 8, 2013**

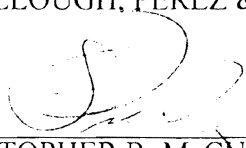
6 **10:00 a.m.**

**ROBERT H. SEABROOK, JR.**

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 7 day of Oct, 2013.

11 **McCULLOUGH, PEREZ & ASSOCIATES, LTD.**

12  
13 By   
14 **CHRISTOPHER R. McCULLOUGH, ESQ.**  
15 Nevada Bar # 1138  
16 **FRANK PEREZ, ESQ.**  
17 Nevada Bar # 5738  
18 601 South Rancho Drive, Suite A-10  
19 Las Vegas, Nevada 89106  
20 Attorneys for Plaintiff  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on the 1<sup>st</sup> day of October, 2013, a true and correct copy of the above and foregoing AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.



CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

Robert H. Seabrook Jr. and  
Sondra G. Seabrook

Case No: 13-14004-mkn  
Chapter: 7

GILMORE CONSTRUCTION, LLC.

Plaintiff,

v.

ROBERT H. SEABROOK, JR., AND  
SONDRA G. SEABROOK

Defendants.

**Adversary Case No: 13-01122-mkn**

**SECOND AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Wednesday, November 20, 2013**

4 10:00 a.m.

SONDRA G. SEABROOK

5 **Friday, November 22, 2013**

6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 14 day of November, 2013.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12 

13 By  
14 CHRISTOPHER R. McCULLOUGH, ESQ.

Nevada Bar # 1138

15 FRANK PEREZ, ESQ.

Nevada Bar # 5738

16 601 South Rancho Drive, Suite A-10

Las Vegas, Nevada 89106

17 Attorneys for Plaintiff  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 4<sup>th</sup> day of November, 2013, a true and correct copy of the above and foregoing SECOND AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

Robert H. Seabrook Jr. and  
Sondra G. Seabrook

Case No: 13-14004-mkn  
Chapter: 7

GILMORE CONSTRUCTION, LLC.

Plaintiff.

v.

ROBERT H. SEABROOK, JR., AND  
SONDRA G. SEABROOK

Defendants.

**Adversary Case No: 13-01122-mkn**

**THIRD AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK. Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Wednesday, December 11, 2013**

4 10:00 a.m.

SONDRA G. SEABROOK

5 **Friday, December 13, 2013**

6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 7 day of November, 2013.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By

CHRISTOPHER R. McCULLOUGH, ESQ.

Nevada Bar # 1138

FRANK PEREZ, ESQ.

Nevada Bar # 5738

601 South Rancho Drive, Suite A-10


Las Vegas, Nevada 89106

Attorneys for Plaintiff

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on the 19<sup>th</sup> day of November, 2013, a true and correct copy of the above and foregoing THIRD AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:	)	Case No: 13-14004-mkn
	)	Chapter: 7
Robert H. Seabrook Jr. and	)	
Sondra G. Seabrook	)	
	)	
	)	
GILMORE CONSTRUCTION, LLC.	)	<b>Adversary Case No: 13-01122-mkn</b>
	)	
Plaintiff.	)	
	)	
v.	)	
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	
	)	

**FOURTH AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Thursday, January 23, 2014**

4 **10:00 a.m.**

**SONDRA G. SEABROOK**

5 **Friday, January 24, 2014**

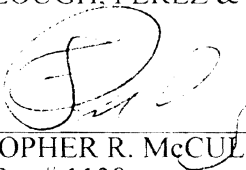
6 **10:00 a.m.**

**ROBERT H. SEABROOK, JR.**

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 17<sup>th</sup> day of December, 2013.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By   
14 CHRISTOPHER R. McCULLOUGH, ESQ.  
15 Nevada Bar # 1138  
16 FRANK PEREZ, ESQ.  
17 Nevada Bar # 5738  
18 601 South Rancho Drive, Suite A-10  
19 Las Vegas, Nevada 89106  
20 Attorneys for Plaintiff  
21  
22  
23  
24  
25  
26  
27  
28



CERTIFICATE OF MAILING

The undersigned hereby certifies that on the 4th day of December, 2013, a true and correct copy of the above and foregoing FOURTH AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

Robert H. Seabrook Jr. and  
Sondra G. Seabrook

Case No: 13-14004-mkn  
Chapter: 7

GILMORE CONSTRUCTION, LLC.

Plaintiff.

v.

ROBERT H. SEABROOK, JR., AND  
SONDRA G. SEABROOK

Defendants.

**Adversary Case No: 13-01122-mkn**

**FIFTH AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 Thursday, February 6, 2014

4 10:00 a.m.

SONDRA G. SEABROOK

5 Friday, February 7, 2014

6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 21 day of January, 2014.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By 

CHRISTOPHER R. McCULLOUGH, ESQ.

Nevada Bar # 1138

FRANK PEREZ, ESQ.

Nevada Bar # 5738

601 South Rancho Drive, Suite A-10

Las Vegas, Nevada 89106

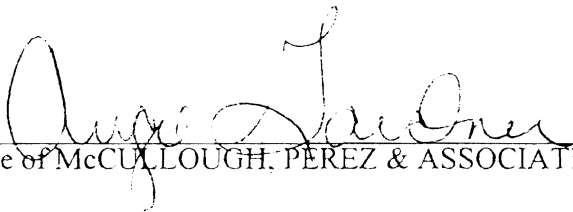
Attorneys for Plaintiff

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 21<sup>st</sup> day of January, 2014, a true and correct copy of the above and foregoing FIFTH AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following via facsimile transmission and by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Fax No: (702) 966-5206  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

LAW OFFICES

McCullough, Perez & Associates, Ltd.

601 SOUTH RANCHO DRIVE, SUITE A-10  
LAS VEGAS, NEVADA 89106

CHRISTOPHER R. McCULLOUGH

FRANK PEREZ

STEPHEN REID\*

\*Also Admitted To Practice In  
England & Wales

(702) 385-7383

Toll Free: (866) 369-1515

FAX: (702) 385-6744

**FACSIMILE TRANSMITTAL**

**FAX # (702) 385-6744**

**DATE:** January 21, 2014

**TO:** Carrie E. Hurtrik, Esq.

**FAX NO:** 966-5206

**FROM:** Frank Perez, Esq.

**NUMBER OF PAGES:** 4

**RE:** Gilmore Construction, LLC / Robert & Sondra Seabrook

\_\_\_\_\_ **ORIGINAL WILL NOT FOLLOW**

  X   **ORIGINAL WILL FOLLOW BY:**

  X   Regular Mail  
       Federal Express  
       Overnight U.S. Mail

       Certified Mail  
       Hand Delivery

**COMMENTS:**

Please see the following FIFTH AMENDED NOTICE OF TAKING  
DEPOSITION.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL 385-7383.

**ANGIE**

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:	)	Case No: 13-14004-mkn
	)	Chapter: 7
Robert H. Seabrook Jr. and	)	
Sondra G. Seabrook	)	
	)	
	)	
GILMORE CONSTRUCTION, LLC.	)	<b>Adversary Case No: 13-01122-mkn</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	

**SIXTH AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Thursday, February 27, 2014**

4 10:00 a.m.

SONDRA G. SEABROOK

5 **Friday, February 28, 2014**

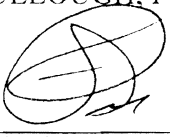
6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 3 day of February, 2014.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By  3  
14 CHRISTOPHER R. McCULLOUGH, ESQ.  
15 Nevada Bar # 1138  
16 FRANK PEREZ, ESQ.  
17 Nevada Bar # 5738  
18 601 South Rancho Drive, Suite A-10  
19 Las Vegas, Nevada 89106  
20 Attorneys for Plaintiff  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3<sup>rd</sup> day of February, 2014, a true and correct copy of the above and foregoing FIFTH AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following via facsimile transmission and by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Fax No: (702) 966-5206  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.



LAW OFFICES

McCullough, Perez & Associates, Ltd.

601 SOUTH RANCHO DRIVE, SUITE A-10  
LAS VEGAS, NEVADA 89106

CHRISTOPHER R. McCULLOUGH

FRANK PEREZ

STEPHEN REID\*

\*Admitted To Practice In  
England & Wales

(702) 385-7383

Toll Free: (800) 369-1515

FAX: (702) 385-6744

**FACSIMILE TRANSMITTAL**

**FAX # (702) 385-6744**

**DATE:** February 3, 2014

**TO:** Carrie E. Hurtik, Esq.

**FAX NO:** 966-5206

**FROM:** Frank Perez, Esq.

**NUMBER OF PAGES:** 3

**RE:** Gilmore Construction, LLC / Robert & Sondra Seabrook

\_\_\_\_\_ **ORIGINAL WILL NOT FOLLOW**

  X   **ORIGINAL WILL FOLLOW BY:**

  X   Regular Mail  
\_\_\_\_\_ Federal Express  
\_\_\_\_\_ Overnight U.S. Mail

\_\_\_\_\_ Certified Mail  
\_\_\_\_\_ Hand Delivery

**COMMENTS:**

*Please see the following: Sixth Amended Notice of Taking Depositions*

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL 385-7383.**

**ANGIE**

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:	)	Case No: 13-14004-mkn
	)	Chapter: 7
Robert H. Seabrook Jr. and	)	
Sondra G. Seabrook	)	
	)	
	)	
GILMORE CONSTRUCTION, LLC.	)	<b>Adversary Case No: 13-01122-mkn</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	

**SEVENTH AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and

TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Thursday, May 29, 2014**

4 10:00 a.m.

SONDRA G. SEABROOK

5 **Friday, May 30, 2014**

6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 2<sup>nd</sup> day of February, 2014.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By 

14 CHRISTOPHER R. McCULLOUGH, ESQ.

15 Nevada Bar # 1138

FRANK PEREZ, ESQ.

16 Nevada Bar # 5738

601 South Rancho Drive, Suite A-10

17 Las Vegas, Nevada 89106

Attorneys for Plaintiff  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 25<sup>th</sup> day of February, 2014, a true and correct copy of the above and foregoing SEVENTH AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Fax No: (702) 966-5206  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

CHRISTOPHER R. McCULLOUGH, ESQ.  
Nevada Bar # 1138  
FRANK PEREZ, ESQ.  
Nevada Bar # 5738  
McCULLOUGH, PEREZ & ASSOCIATES, LTD.  
601 South Rancho Drive, #A-10  
Las Vegas, Nevada 89106  
(702) 385-7383  
FAX (702) 385-6744  
EMAIL: [lawoffice@mcpalaw.com](mailto:lawoffice@mcpalaw.com)  
*Attorneys for Gilmore Construction, LLC.*

**U.S. BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:	)	Case No: 13-14004-mkn
	)	Chapter: 7
Robert H. Seabrook Jr. and	)	
Sondra G. Seabrook	)	
	)	
	)	
GILMORE CONSTRUCTION, LLC.	)	<b>Adversary Case No: 13-01122-mkn</b>
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT H. SEABROOK, JR., AND	)	
SONDRA G. SEABROOK	)	
	)	
Defendants.	)	

**EIGHTH AMENDED NOTICE OF TAKING DEPOSITIONS**

TO: ROBERT H. SEABROOK, JR. and SONDRA G. SEABROOK, Defendants; and  
TO: CARRIE E. HURTIK, ESQ., Attorney for Defendants.

PLEASE TAKE NOTICE that at the law offices of McCullough, Perez & Associates, Ltd., 601 South Rancho Drive, #A-10, Las Vegas, Nevada 89106, the Plaintiff in the above entitled action will take depositions, upon oral examination, pursuant to Rules 26 and 30 of the

1 Nevada Rules of Civil Procedure, before a Notary Public, or before some other officer authorized  
2 by the law to administer oaths. The depositions will be as follows:

3 **Thursday, June 12, 2014**

4 10:00 a.m.

SONDRA G. SEABROOK

5 **Friday, June 13, 2014**

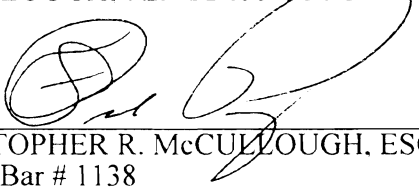
6 10:00 a.m.

ROBERT H. SEABROOK, JR.

7  
8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 DATED this 27 day of May, 2014.

11 McCULLOUGH, PEREZ & ASSOCIATES, LTD.

12  
13 By   
14 CHRISTOPHER R. McCULLOUGH, ESQ.  
15 Nevada Bar # 1138  
16 FRANK PEREZ, ESQ.  
17 Nevada Bar # 5738  
18 601 South Rancho Drive, Suite A-10  
19 Las Vegas, Nevada 89106  
20 Attorneys for Plaintiff  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 27th day of May, 2014, a true and correct copy of the above and foregoing EIGHTH AMENDED NOTICE OF TAKING DEPOSITIONS, was served upon the following via facsimile transmission and by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

CARRIE E. HURTIK, ESQ.  
7866 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Fax No: (702) 966-5206  
*Attorney for Defendants*

  
Employee of McCULLOUGH, PEREZ & ASSOCIATES, LTD.

# EXHIBIT 6

# EXHIBIT 6



Hi Frank,

I received this letter today from Sondra's doctor. I have been informed that it will probably be a total of 10 weeks, but the Doctor did provide this letter stating she could be complete by March 7, 2013. Can you call me when you get a chance please? Thank you!

*Carrie E. Hurtik, Esq.*

**Carrie E. Hurtik, Esq.  
HURTIK LAW & ASSOCIATES  
7866 West Sahara Avenue  
Las Vegas, Nevada 89117  
(702) 966-5200 Telephone  
(702) 966-5206 Facsimile  
churtik@hurtiklaw.com  
www.hurtiklaw.com**

PRIVACY NOTICE - This E-Mail message and any documents accompanying this transmission may contain privileged and/or confidential information and is intended solely for the addressee(s) named above. If you are not the intended addressee/recipient, you are hereby notified that any use of, disclosure, copying, distribution, or reliance on the contents of this E-Mail information is strictly prohibited and may result in legal action against you. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents, or immediately call (702) 966-5200 to arrange for return via U.S. postal delivery at our expense. Thank you.

02/04/2014

To Whom It May Concern:

Sondra Seabrook is currently participating in a 5 week intensive partial hospitalization program for psychiatric treatment. While in treatment it will be detrimental to her progress to participate in legal matters. Mrs. Seabrook will likely complete the program on 03/07/2014. Thank you for your consideration in this matter.



Kimberlee Charles, M.D.

Renown Behavioral Health  
850 Mill Street, Suite 301  
Reno, NV 89502

